

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

APR 21 2004
CLERK'S OFFICE

DA 2004-21-P 2-29	
JAMES J. NIZZO and VIRGINIA C. NIZZO, As Joint Tenants, and CARLO CILIBERTI, On Behalf of Themselves And All Others Similarly Situated	:
Plaintiffs,	Civil Action No.04-CV-10065
v.	Honorable Nancy Gertner
BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH, and RONALD F. RICHARDS,	:
Defendants.	:

AMENDED NOTICE OF WITHDRAWAL

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

In accordance with Rule 41(a) of the Federal Rules of Civil Procedure, and in light of the several other similar lawsuits representing greater stockholdings, Plaintiffs hereby dismiss this action (District of Massachusetts Civil Action No. 04-CV-10065).

Dated: April 20, 2004

Respectfully submitted,

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Counsel for Plaintiffs,



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FILED
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2004 APR 21 P 2 29

UNITED STATES DISTRICT COURT
DISTRICT OF MASS.

April 20, 2004

Jennifer Filo,
Docket Clerk to Judge Gertner
Clerk's Office
United States District Court
John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210

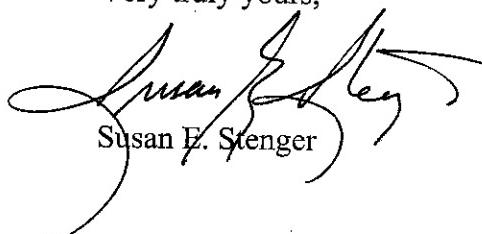
Re: James J. Nizzo et al. v. Biopure Corporation et al
United States District Court Docket No. 04-10065NG

Dear Ms. Filo:

Pursuant to your request, please find enclosed an Amended Notice of Withdrawal, which contains the original plaintiffs' names in the caption.

If you have any questions, please do not hesitate to call me at 617-854-4228.

Very truly yours,



Susan E. Stenger

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Enclosure

cc: Samuel Rosen, Esquire
Marc I. Gross, Esquire
Service List